

EXHIBIT 16



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Via Email

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Re: *Valve Corp. v. Leigh Rothschild et al.*, No. 2:23-cv-1016 (W.D. Wash.): Response
to Defendants' search term proposal

Counsel:

We write in response to your January 3 and January 9 emails discussing the syntax of and hit counts for search terms run on certain of Defendants' ESI custodians.

As a preliminary matter, Defendants have not run these search terms against all of the custodians in Defendants' Initial ESI Disclosures. Specifically, Defendants have not provided hit counts for Christina Arias and Leigh Rothschild. Please provide those to us by January 15. Please also provide any additional information on the repositories for those custodians to the extent they use repositories other than Outlook, File Explorer, and SharePoint so we can investigate if any modifications to search terms are needed. To the extent that Ms. Arias and Mr. Rothschild use Outlook or File Explorer, please use the modified search terms set forth below.

By January 15, please also provide the remaining hit counts for Mr. Falcucci's SharePoint that were not included in your January 3 and January 9 emails.

Based on Valve's further investigation of the search capabilities of Outlook and File Explorer, the syntax of the below two search terms will need to be modified:

- infring* AND (demand OR threat OR assert OR target OR campaign OR inventory OR enforc* OR sue)
- (global AND (settlement OR license OR agreement)) OR GSLA OR GSALA

Outlook and File Explorer do not use parenthesis as grouping of terms as Valve intended in these proposed search terms. Valve will provide revised search terms shortly for use in Outlook and File Explorer. For clarity, SharePoint uses parenthesis to group terms, and Defendants can continue to use these search terms on Mr. Falcucci's SharePoint.

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Valve proposes additional minor modifications to Defendants' revised search terms addressing the fact that Outlook ignores punctuation and strings of numbers less than five digits. From our investigation and based on the hit counts provided by Defendants, "35 USC § 285" (with a space between § and 285) and "35 USC 285" return the same results. Therefore, we ask Defendants to run "35 USC §285" (without a space between § and 285) and "35 USC 285," as well as variations that include both "USC" and "U.S.C." This applies to the Section 1927 terms as well.

Based on Valve's investigation, Outlook also does not have wildcard search capability indicated by * in Valve's search terms. Instead, Outlook appears to automatically stem words that are not within quotations (e.g., sanction would return results for sanction, sanctions, sanctioned, sanctioning, etc.). Phrases within quotations are searched exactly without stemming. Therefore, Valve has expanded "attorney* fees" to include numerous variations.

Below are the proposed modified search terms addressing both of these issues to be used with the indicated repository:

- File Explorer: sanction* OR "Rule 11" OR frivolous OR "Section 285" OR "35 USC 285" OR "35 U.S.C. §285" OR "35 U.S.C. 285" OR "35 U.S.C. §285" OR baseless OR meritless OR "attorneys fees" OR "attorney fees" OR "attorney's fees" OR "attorneys' fees" OR "bad faith" OR exceptional OR "Section 1927" OR "28 USC 1927" OR "28 USC §1927" OR "28 U.S.C. 1927" OR "28 U.S.C. §1927"
- Outlook: sanction OR "Rule 11" OR frivolous OR "Section 285" OR "35 USC 285" OR "35 U.S.C. §285" OR "35 U.S.C. 285" OR "35 U.S.C. §285" OR baseless OR meritless OR "attorneys fees" OR "attorney fees" OR "attorney's fees" OR "attorneys' fees" OR "bad faith" OR exceptional OR "Section 1927" OR "28 USC 1927" OR "28 USC §1927" OR "28 U.S.C. 1927" OR "28 U.S.C. §1927"

To confirm, none of these search limitations apply to SharePoint, so Defendants can continue to use the original search term:

- sanction* OR "Rule 11" OR frivolous OR 285 OR baseless OR meritless OR "attorney* fees" OR "bad faith" OR exceptional OR 1927

Valve also generally agrees to go forward with the revised search term below if Defendants confirm that they do not refer to patents by just the last three digits (e.g., 221 or '221) in the ordinary course of business:

- 8,856,221 OR 8856221 OR "221 patent"

If Defendants' do refer to patents by just the last three digits, we request a further meet and confer to discuss alternative search options.

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Valve also wants to confirm that all searches on Outlook include any archives. For example, some implementations of Outlook have archives that are a separate mailbox requiring a search to be performed in the active mailbox and a separate search in the archive mailbox.

Finally, Valve agrees that Defendants can move forward with collection and review of documents from the following search terms and repositories that are not affected by the modifications above and that Defendants have agreed produce a reasonable number of hits:

- “Kizzia Johnson” for Meyler Outlook, Meyler File Explorer, Falcucci Outlook, and Falcucci SharePoint
- “Display Technologies” OR “ DT ” for Meyler Outlook, Meyler File Explorer, Falcucci Outlook and Falcucci SharePoint
- “Rothschild Broadcast Distribution Systems” OR RBDS for Meyler Outlook, Meyler File Explorer, Falcucci Outlook, and Falcucci SharePoint
- Valve for Meyler Outlook, Meyler File Explorer, Falcucci Outlook, and Falcucci SharePoint
- “Pitch Scientific” for Meyler Outlook, Meyler File Explorer, Falcucci Outlook, and Falcucci SharePoint
- “infring* AND (demand OR threat OR assert OR target OR campaign OR inventory OR enforc* OR sue)” for Falcucci SharePoint
- “(global AND (settlement OR license OR agreement)) OR GSLA OR GSALA” for Falcucci SharePoint

Please confirm when Defendants will begin their document production from these searches. Thank you.

Sincerely,



Dario A. Machleidt